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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/672,633	09/26/2003	David G. Boyer	633-061us	8084
47912	7590	07/26/2011		
Avaya DEMONT & BREYER, LLC 100 COMMONS WAY, STE 250 HOLMDEL, NJ 07733			EXAMINER MEHRPOUR, NAGHMEH	
			ART UNIT	PAPER NUMBER
			2617	
			MAIL DATE	DELIVERY MODE
			07/26/2011	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Notice of Non-Compliant Pre-Appeal Brief Request for Review (New Time Period for Filing Brief)</b>	<b>Application No.</b> 10/672,633	<b>Applicant(s)</b>	
	<b>Examiner</b> Naghmeh Mehrpour	<b>Art Unit</b> 2617	

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

The Pre-Appeal Brief Request for Review filed on 06/27/11 is non-compliant for the following reason(s). See *Pre-Appeal Brief Conference Pilot Program*, 1296 Off. Gaz. Pat. Office 67 (July 12, 2005). A conference will not be held.

The time period for filing an appeal brief will be reset to be one month from the mailing of this notice, or the balance of the two-month time period running from the receipt of the notice of appeal, whichever is greater. Further, the time period for filing of the appeal brief is extendible under 37 CFR 1.136 based upon the mail date of this notice or the receipt date of the notice of appeal, as applicable.

1. ☐ The Request was not filed concurrently with a proper Notice of Appeal.
2. ☐ The Request does not include accompanying arguments for which the review is being requested.
3. ☐ The arguments accompanying the Request exceed five (5) pages.
4. ☐ The arguments accompanying the Request are directed to petitionable, not appealable, matters.
5. ☐ An after-final or proposed amendment was filed with the Request, or after the filing of the Request but before a panel decision from the pre-appeal brief conference.
6. ☐ The request was filed concurrently with a Request for Continued Examination (RCE).
7. x Other (including any explanation in support of the above items):

The notice of appeal filing fee is considered improper.

/Timothy Cole/  
Timothy Cole, Patent Appeal Specialist  
Patent Appeal Center